

1 HONORABLE ROBERT S. LASNIK
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LARRY G. HAPP,

Plaintiff,

v.

CITY OF REDMOND, ITS CHIEF OF POLICE
IN HIS REPRESENTATIVE CAPACITY, AND
"JOHN DOES 1-20,"

Defendants.

) NO. C08-1713 RSL

) STIPULATION AND ORDER OF
VOLUNTARY DISMISSAL

STIPULATION

Plaintiff, Larry G. Happ, and defendants, the City of Redmond and its Chief of Police in his representative capacity, by and through counsel, hereby stipulate and agree to the following:

1. Plaintiff wishes to dismiss the present action voluntarily, without prejudice, pursuant to Federal Rule of Civil Procedure 41(a), in order to file a municipal tort claim in compliance with RCW 4.96.020;

2. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Defendants stipulate to voluntary dismissal of plaintiff's claim;

3. Plaintiff will provide Defendants with full and complete answers and responses to Defendants' First Interrogatories and Requests for Production to Plaintiff, which were

1 propounded to Plaintiff on or about January 23, 2009, within fifteen (15) days of entry of
2 Plaintiff's voluntary dismissal order;

3 4. Prior to re-filing a lawsuit, Plaintiff will attend a mediation with Defendants, in
4 which all parties will negotiate in good faith;

5 5. If Plaintiff re-files a lawsuit, he will seek no declaratory relief, injunctive relief,
6 damages or other remedy pertaining to or arising from events occurring more than three (3) years
7 prior to the date of re-filing. This stipulation does not preclude the Plaintiff from attempting to
8 introduce evidence of other events, if otherwise admissible. Nor does this stipulation preclude
9 Defendant from arguing against the introduction of such evidence;

10 6. If Plaintiff re-files a lawsuit, he will limit the number of fact witnesses identified
11 in his Initial Disclosures to no more than fifteen (15).

12 STIPULATION DATED THIS 12th day of March, 2009

14 OGDEN MURPHY WALLACE, P.L.L.C.

KING LAW GROUP

16 By: Aaron P. Riensche

17 Geoff J. M. Bridgman, WSBA #25242
18 Aaron P. Riensche, WSBA #37202
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20 Attorneys for Defendant

By:

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Attorney for Plaintiff

1 ORDER
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3 The Court, having reviewed the stipulation of the parties set forth above, and being
4 otherwise fully advised in the premises, NOW, THEREFORE, IT IS HEREBY ORDERED that
5 Plaintiff's First Amended Complaint for Declaratory Relief, Injunctive Relief and for Damages,
is DISMISSED WITHOUT PREJUDICE and without costs to any party.

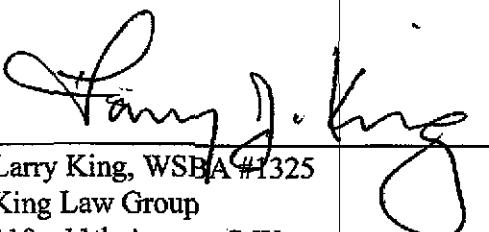
6 Dated this 16th day of March, 2009

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9 HONORABLE ROBERT S. LASNIK
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11 Presented by:
12

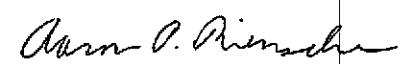
13 KING LAW GROUP
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15 By: 

16 Larry King, WSB#1325
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18 Approved as to Form; Notice of
Presentation Waived:

19 OGDEN MURPHY WALLACE, P.L.L.C.
20

21 By: 

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